

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.768 of 2016

Arising Out of PS.Case No. -1834 Year- 2013 Thana -SARAN COMPLAINT CASE District-
SARAN

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Sonu Sah @ Sonu Kr. Sah

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Navin Kr.Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-01-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 3 of the Dowry Prohibition Act.

The accusation is of torture for non-fulfilment of the dowry demand. It is also alleged that the petitioner made attempt to cause burn injury to the informant.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour, though the petitioner filed Matrimonial Suit No. 171 of 2013 with a prayer for divorce but the petitioner is also ready to withdraw the

same. A statement to that effect has been made in para 9 of the petition which reads as follows:-

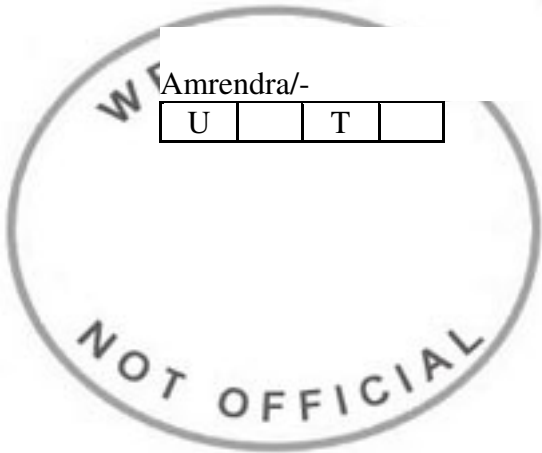
“That the petitioner is still ready to live with the opposite party no.2 and to withdraw Divorce Suit No. 171 of 2013.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Saran, Chapra in connection with Complaint Case No. 1834 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. On her appearance, the petitioner will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant

gets reluctant to reconcile the issue.



(Dinesh Kumar Singh, J)